FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioners herein request a variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1B02.3.B Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of the required 15 ft., as more particularly described on Petitioner's Exhibit No. 1.

The Petitioner having filed a Petition for a Residential Variance, the subject property, known as 1 Oakmere Road, zoned D.R. 3.5, having been posted and there being no request for a public hearing, this matter is ready for determination. The Petitioner is requesting a variance to allow a side yard setback of 7 ft. in lieu of the required 15 ft. for an addition to the subject property.

The Petitioner has filed the supporting affidavits, as required by Section 22-26 (b)(1) of the Baltimore County Code. There is no evidence in the file or record to indicate that the variance would adversely affect the health, safety and/or general welfare of the public and, therefore, the relief should be granted.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore Variance, pursuant to Section 22-26(b)(1) of the Baltimore County Code and Section 1802.3.B Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of the required 15 ft., in accordance with Petitioner's Exhibit No. 1, is hereby GRANTED, subject, however, to the collowing restrictions which are conditions precedent to the relief granted herein:

> The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner may not establish a second apartment or convert this addition to a two family dwelling unit. The property shall remain as a single family dwelling unit with one single housekeeping unit.

 Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

> Zoning Commissioner for Baltimore County

RECEIVED FOR FILING

AFFIDAVIT IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with

That the Affiant(s) does/do presently or upon settlement will reside at _____ I DAKMERE ROAD OWINGS MILL MD. 21157

That based upon personal knowledge, the following are the facts upon which I/we base the request for for a Residential Zoning Variance at the above address: (indicate hardship or practical difficulty) SEE ATTACHED PAGE

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Michael Robert from AFFIANT (Handwritten Signature) MICHAEL ROBERT SNOWMAN

AFFIANT (Printed Name)

AFFIANT (Handwritten Signature) AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23 day of December 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

January 28, 1991

Mr. Michael Robert Snowman 1 Oakmere Road Owings Mills, Maryland 21157

> RE: Petition for Residential Zoning Variance Case No. 91-215-A

Dear Mr. Snowman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Robert Haines Zoning Commissioner

cc: Peoples Counsel

PROPERTY OF:

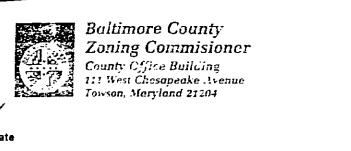
Michael Robert Snowman 1 Oakmere Road Owings Mills, MD. 21117

ZONING DESCRIPTION

Beginning at a point on the southeast side of Oakmere Road, 50 feet wide, at a distance of 50.00 feet measured southwesterly from the centerline of Ashmere Road, 50 feet wide. Being Lot 1, Block B, on a subdivision of section B CEDARMERE, which plat is recorded among the land records of Baltimore County in plat book G.L.B. no. 20, folio 29, containing 11,865.87 square feet of land or 0.2724 acres of land, more or less. Also known as no. 1 Oakmere Road and located in the fourth Election District.

91-215-A

The understand 1 t	71-219	11
the description and plat attached hereto and mad	roperty situate in Baltimore County and which le a part hereof, petition for a Variance from	i is described Section
1.B.O.2.3.B (Section III.C.3.)	TO PERMIT A SIDE	
YARD SETBACK OF 7'ft IN LIEU OF T	HE REQUIRED / 5'ft.	
of the Zoning Regulations of Baltimore County, to (indicate hardship or practical difficulty)	o the Zoning Law of Baltimore County, for the A	following reaso
PRACTICAL DIFFICULTYSE	E ATTACHED PAGE	
Property is to be advertised and/or posted a		
or this pecition, and turther agree to and are to	ve Variance posting and, if necessary, adverti to be bound by the zoning regulations and restri	sing, upon fil ctions of
Baltimore County adopted pursuant to the Zoning I	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject this Petition.	
Contract Purchaser:	Legal Owner(s):	
(Type or Print Name)	(Type or Print Name)	NW 12.1
Signature	Michael Relett Snowma	•
Address	(Type or Print Name)	12.5 21
City/State/Zip Code	Signature	13.F
Attorney for Petitioner:	ฟ-833-164 L OAKMERE ROAD - H-356-4962	
(Type or Print Name)	Address	Phone
Signature	日地INGS MILLS、MD、21157 City/State/Zip Code	
Address	Name, address and phone number of legal owns purchaser or representative to be contacted.	r, contract
ttorney's telephone number	Name	
	Address	Phone
ORDERED by the Zoming Commissioner of Baltimore County setition be posted on the property on or before the $\frac{-f \frac{d}{2}}{2}$ d	, this $3\ell^{\frac{N}{2}}$ day of NCV , 19 $\frac{9C}{}$, that the sullay of DCC , 19 $\frac{9C}{}$.	bject matter of ti
	ZONING CONTISSIONER OF BALTIMONE COUNTY	
atter of this petition be advertised, as required by the Zoni ut Baltimore County, that the property be reposted, and that n Room 198, County Office Building in Towson, Baltimore Co	timore County, this day of, 19	circulation throu of Baltimora Cou
•ñ•	IONING COMMISSIONER OF BALTIMONE COUNTY	
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CERT	TIFICATE OF POSTING ARTMENT OF BALTIMORE COUNTY Towner, Maryland	5-1 1



Account: R-001-6150

Date of return: A constitute 26.1899

- BUILT HOWARM 120. (16)16、 化原体体型 (24)14年14年16日 (17)16(17) - 1996 - HPSETTYNG STEEKE () 46/48777/\$\$P\$ () 。 Tulkau: Section of the sections

1) THE LAY-DUT OF THIS HOUSE, ON THIS LAND IS SUCH THAT ONLY AN ADDITION TO THE SIDE LAND, MAKES ANY REASONABLE

2) THIS PROPERTY IS LOCATED ON A DEAD END STREET, AND HAS BEEN THIS WAY SINCE 1954. I THINK IT IS REASONABLE TO EXPECT OF THE 25' EASEMENT ON THIS SIDE STREET MIGHT BE PRACTICAL, AS WELL AS TO ALLOW US THE BEST POSSIBLE USE OF OUR LAND, FOR A FAMILY THAT IS OUT-GROWING IT'S PRESENT SPACE.

BE IN EFFECT, AS THE PROPOSED ADDITION WILL NOT CHANGE ANY UNIFORMITY TO THE FRONTS OF ALL OUR STREETS, OR TO THE SIDE, THAT COULD INFRINGE ON OUR CLOSEST NEIGHBORS.

THE UNIQUENESS OF THIS CORNER LOT, NEXT TO A DEAD END STREET, MAKES IN MY OPINION, A REASONABLE REQUEST TO SEEK A VARIANCE THAT WILL ENABLE MY FAMILY AND I TO STAY AT THIS ADDRESS, WHICH I HAVE LIVED AT SINCE JUNE OF 1975.

IMPROVE OUR LIVING CONDITIONS, AS WELL AS QUALITY OF OUR LIVES, AS WELL AS THE COMMUNITY'S VALUE.

 S_N gwmah

IUAKMERE Rd PETITON FOR RESIDENTIAL VARIANCE ownses mills, ind

PRACTICAL DIFFICULTY

91-215-A

SENSE. STRICT COMPLIANCE WITH THE 25' EASEMENT BY PUTTING AN ADDITION TO THE REAR OF THE HOUSE/LAND, WOULD MAKE THE INSIDE LAY-OUT OF THE HOUSE TOTALY IMPRACTICAL.

THAT CONDITIONS WILL STAY THE SAME. THEREFORE A RELAXATION

3) I BELIEVE THAT THE SPIRIT OF THE 25' EASEMENT, WILL STILL

THE IMPROVEMENTS OF WHICH I SEEK WOULD ALLOW US TO

CATT ATC OF CHICLE, BUDGERS

Please Make Checks Payable To: Baltimore County

Baltimore County Zoning Commisioner County Office Building

County Office Building

111 West Chesapeake Avenue

Towson, Maryland 21204 Towson, Maryland 21204

Cashier Valldation

Michael R. Snowman

1 09K mere Rd.

Owings Mills Md. 21157

Residential Varience filing fee \$ 35.00

(Administrative)

Total \$60.00

04AD4#ED#8MICHRC Please Make Checks Payable To: Baltimore Bounty 50 : 55AM11-30-98

Account: R-001-6150

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

December 13, 1990

111 West Chesapeake Avenue Towson, MD 21204

887-3353

Michael Robert Snowman 1 Oakmere Road Owings Mills, Maryland 21117

Re: CASE NUMBER: 91-215-A LOCATION: SWC Oakmere and Ashmere Roads 1 Oakmere Road

Dear Petitioner(s):

Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before December 19, 1990. The last date (closing date) on which a neighbor may file a formal request for hearing is January 3, 1991. Should such request be filed, you will receive notification that the matter will not be handled through the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice. In either case, (a) receipt of notification that you will have a public hearing or, (b) the passing of the closing date, the sign and post can then be removed from the property and returned to this office. Failure to return the sign and post will cause your Order to be held and incur a \$50.00 charge. Please be advised that the Order will not be available for you to pick-up the day you return the sign.

Assuming no neighbor has requested a public hearing, the file now enters the final review stage of the administrative process. The Zoning Commissioner must now decide whether to grant or deny the request. He also has the option to request a public hearing.

> 3) PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

> > Very truly yours,

altimore County Government Zoning Commissioner Office of Planning and Zoning

Towson, MD 2120+ January 31, 1990

Mr. Michael R. Snowman 1 Oakmere Road Owings Mills, MD 21157

111 West Chesapeake Avenue

RE: Item No. 225, Case No. 91-215-A Petitioner: Michael R. Snowman Petition for Variance

887 3353

Dear Mr. Snowman:

JED:jw

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Zoning Plans Advisory Committee

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

Your petition has been received and accepted for filing this 23rd day of November, 1990.

Petitioner: Michael R. Snowman Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

J. Robert Haines

DATE: December 17, 1990 Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

Douglas A. Pooley, Item No. 233

Caves Valley Club, Inc., Item No. 167 Caves Valley Club, Inc., Item No. 168 Dianna Lynn Peterson, Item No. 192 Charles F. Hohman, Item No. 213 Russell F. Morris, III, Item No. 218 Laura E. Earles, Item No. 220 Herbert Balzanna, Item No. 221 Terrell R. Johnson, Joseph Hartman, Trustees, Item No. 224 Michael Robert Snowman, Item No. 225 Herbert J. Scism, Item No. 226 James Stabler, Item No. 232

In reference to the above-listed cases, staff offers no comments. If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm NCITEMS/ZAC1

Baltimore County Fire Department 700 East Joppa Road, Suite 901 Towson, Maryland 21204-5500 (301) 887-4500 Paul H. Reincke

DECEMBER 13, 1990

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD $2120\overline{4}$



MICHAEL ROBERT SNOWMAN RE: Property Owner:

#1 OAKMERE ROAD

Zoning Agenda: DECEMBER 26, 1990 Item No.:

Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Catt | Sept Helly 11-14-90 Approved Fire Frevention Bureau Special Inspection Division

JK/KEK

received

BALTIMORE COUNTY. MARYLAND INTER-OFFICE CORRESPONDENCE

DECEMBER 19, 1990 J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

received 12/31/90

CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

ZONING ITEM #: 225 PROPERTY OWNER: Michael Robert Snowman LOCATION: SWC Oakmere & Ashmere Roads (#1 Oakmere Road) ELECTION DISTRICT: 4th

COUNCILMANIC DISTRICT: 3rd A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE

FOLLOWING: () PROPOSED SITE PLAN DOES, DOES NOT. COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE

HANDICAPPED. () RAMPS (degree slope) () PARKING LOCATION () CURB CUTS () NUMBER PARKING SPACES () SIGNAGE () BUILDING ACCESS

() PLAN DOES, DOES NOT LOMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

() OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88

BALTIMORE COUNTY, HARYLAND THTEROFFICE COTRESPONDENCE

TO: Zoning Advisory Committee PATE: December 18, 1990 FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for December 26, 1239

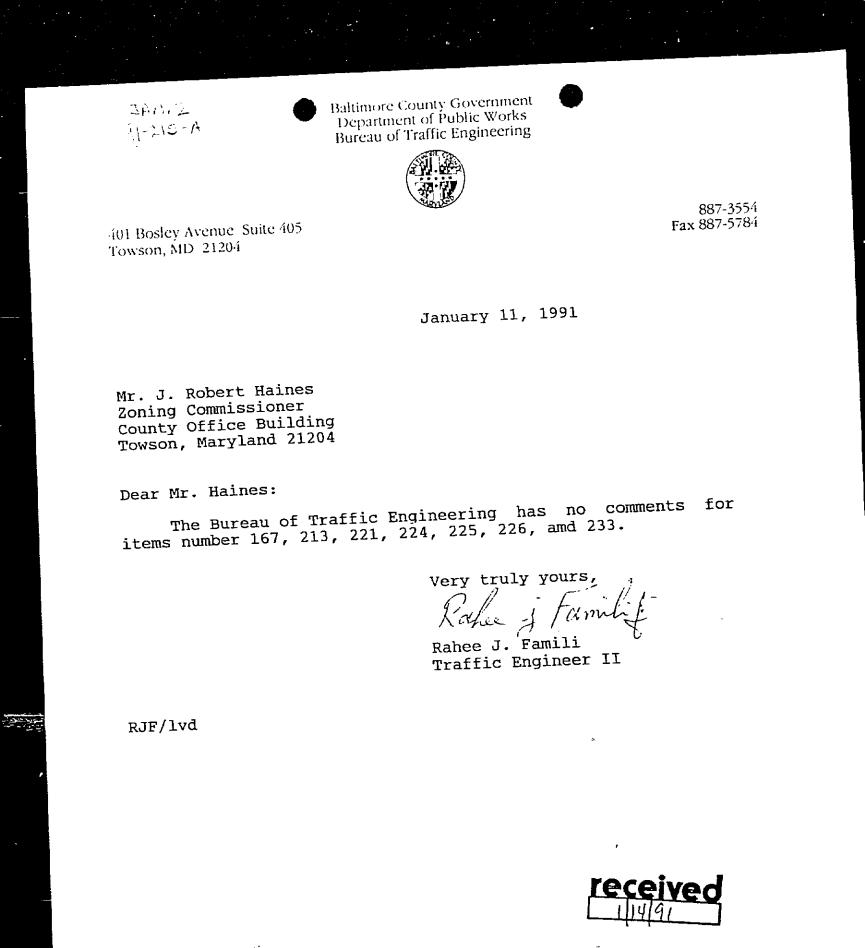
The Daw Lagerr Engineering Pivician has reviewed the subject monling items and we have no comments for Itoms 213, 221, 224, 235, 239, 239, 243 238.

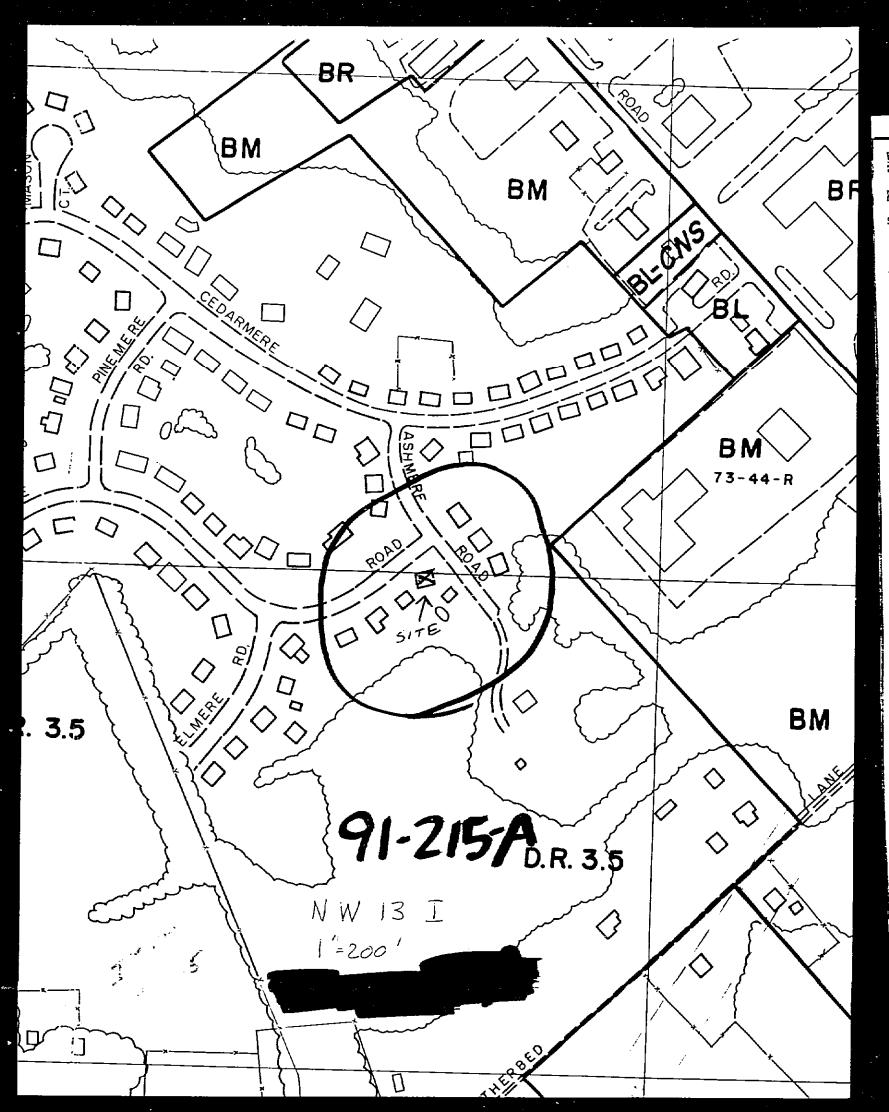
For Home 157, 100, 201 and 200, the previous County Review Group a maente are applicable.

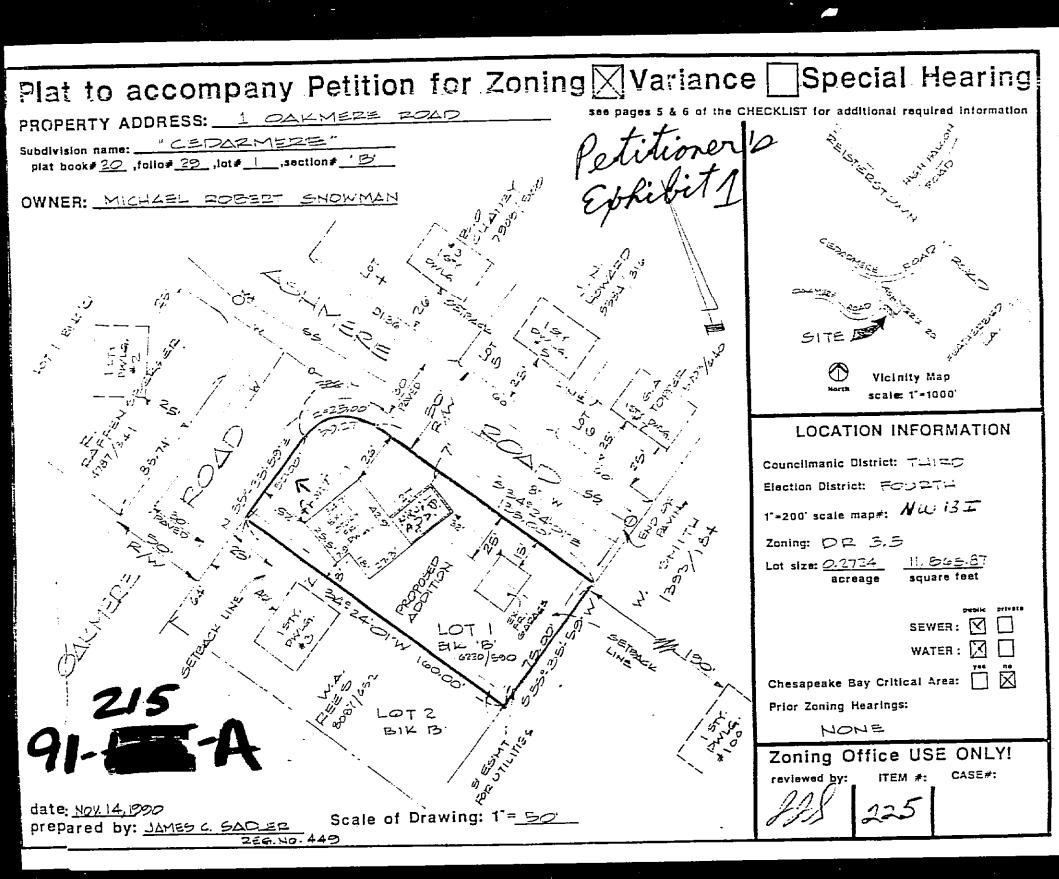
Davelerera Engineering Division

RWB:s

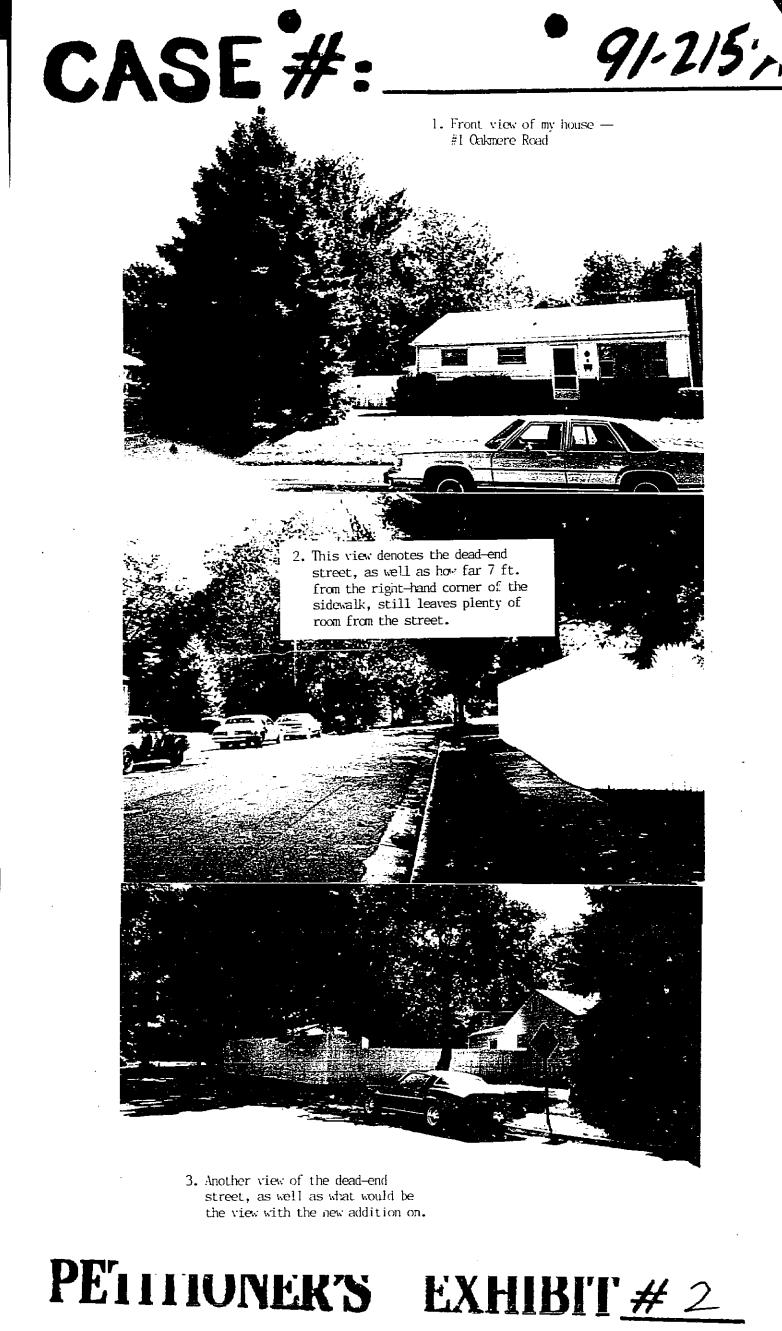
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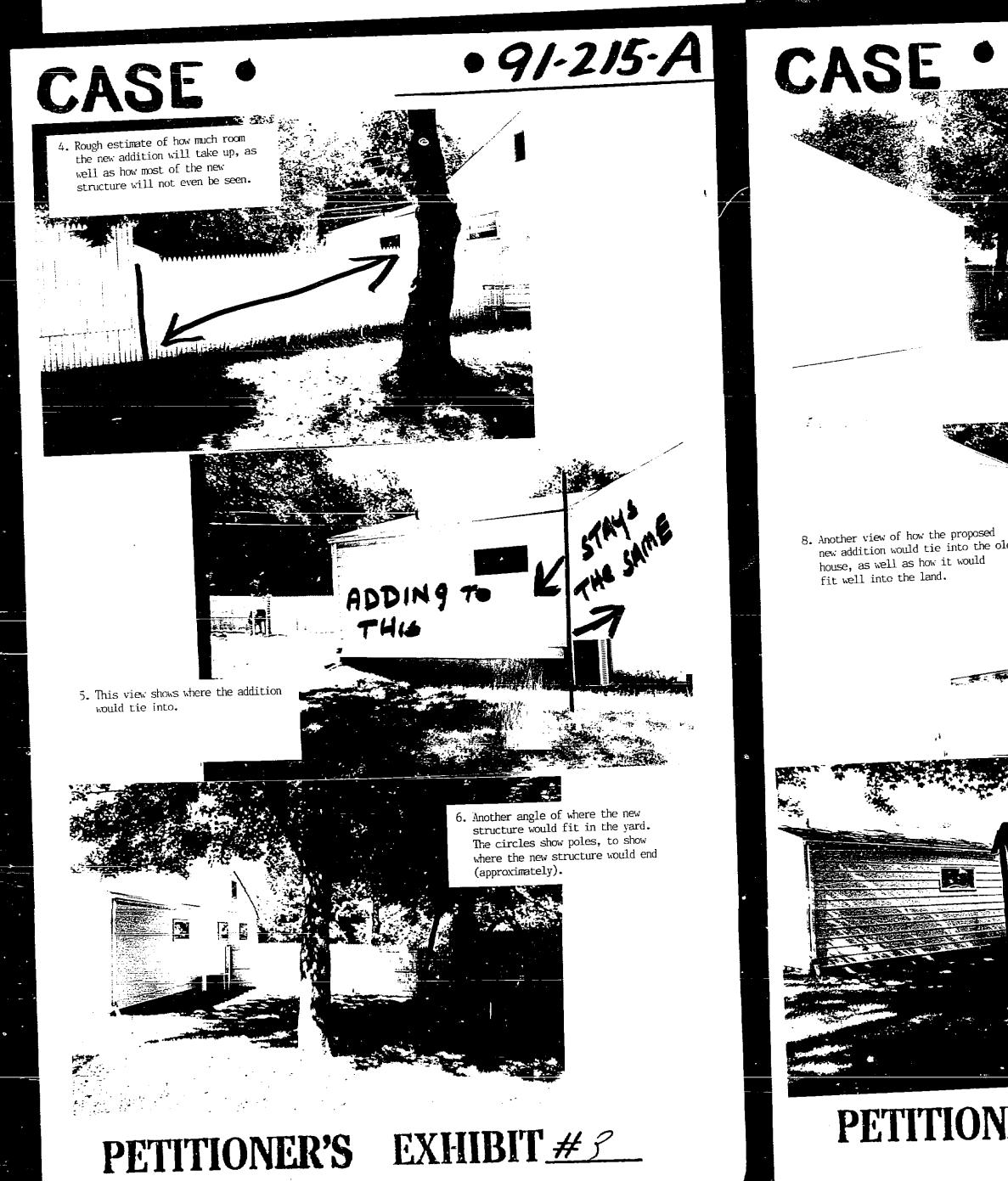


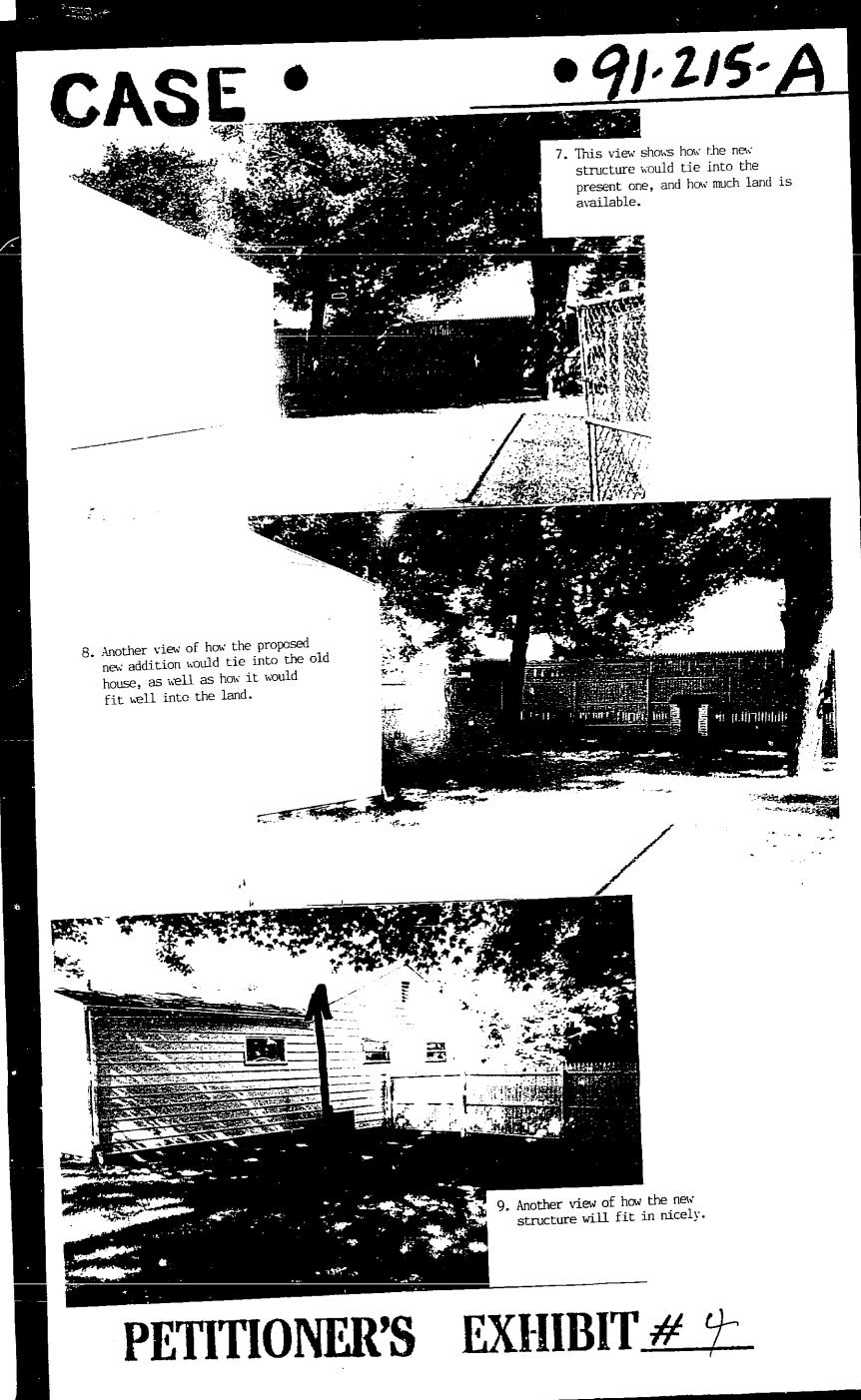


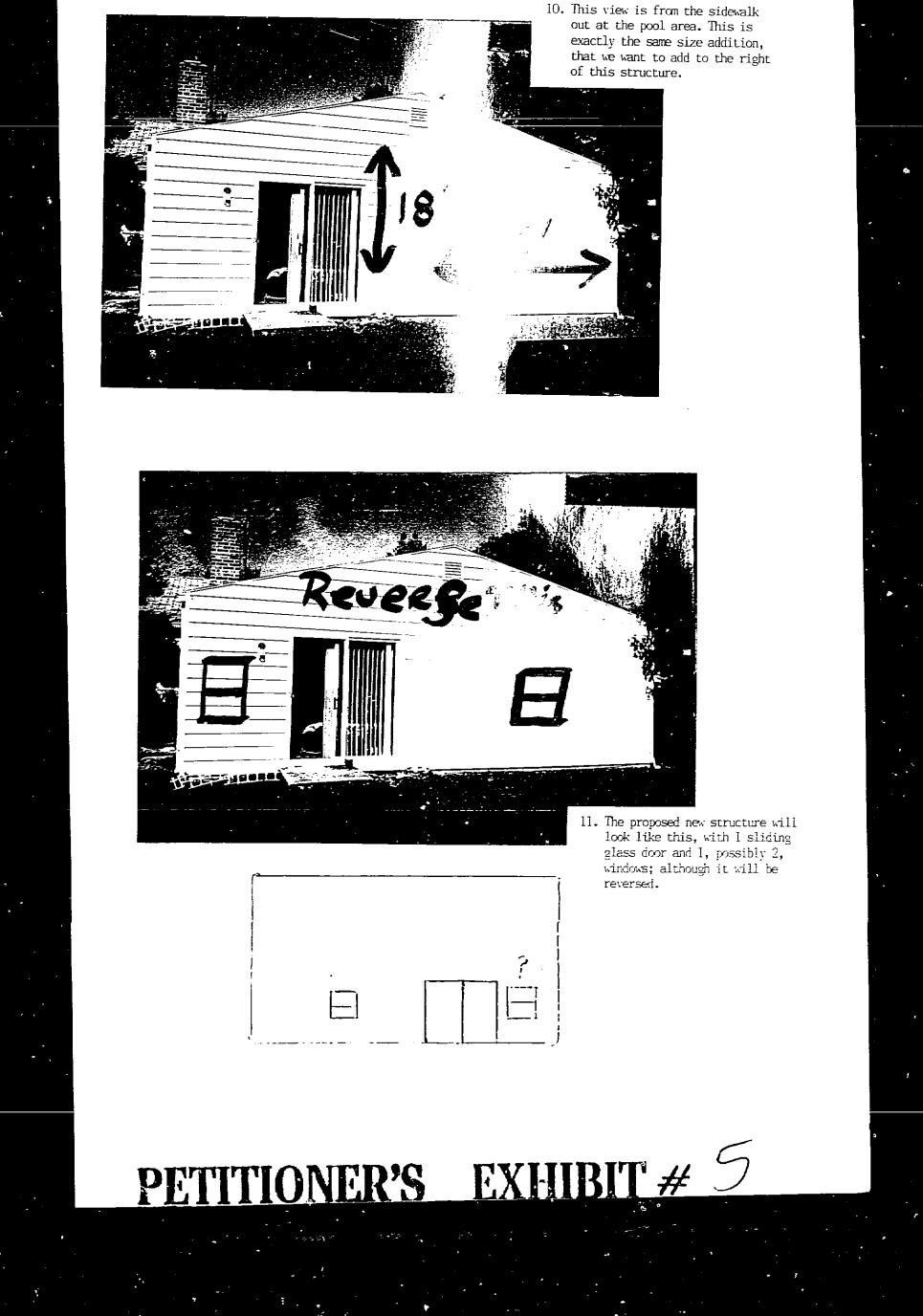


· 91-215-A









CASE *

